

FILED APR DAY 10th 2013 2F.
KAREN E. RUSHING, CLERK

RESTORE ACT

With the passage of the "Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012" (RESTORE Act) opportunities for meaningful efforts to revitalize and buffer Gulf of Mexico waters and resources from the harmful effects of future potential oil spills are now possible. The legislation provides for a distribution formula of administrative and civil penalties assessed under the Federal Water Pollution Control Act by parties responsible for the spill to the states and their respective political jurisdictions with a coastline contiguous to the Gulf of Mexico.

These penalties can be used by the affected counties along the Gulf of Mexico including Manatee County for a wide range of projects under the following categories: Restoration, creation, and/or protection of natural resources; Mitigation for natural resource damages or losses; Implementation of National Estuary program management plans; Workforce development and job creation; Infrastructure projects benefitting the economy or ecological resources (ports); Coastal flood protection; Planning assistance; Promotion of tourism and seafood consumption.

Projects may be considered as having either a local or regional impact. The Board of County Commissioners has adopted guiding principles which apply to the RESTORE Act federal categories which will be utilized to help prioritize project requests. There is community consensus that not all project proposals can be fully or partially funded with the limited funds allocated to Manatee County under the Act. The Board of County Commissioners plans to hold meetings for community input on local project proposals meeting any of the eligibility categories stated above.

Guiding principles relating to project proposals include the following:

1. Projects provide positive environmental, economic, or societal benefits
2. Projects are consistent with local government comprehensive plans
3. Projects incorporate other funding partners to further leverage grant resources as possible
4. Projects related to promotion of tourism are based upon water dependant activities
5. No project will be able to encumber all of the grant funds allocated to individual categories

** Restoration and Protection of Natural Resources * Implementation of National Estuary Management Plans * Workforce Development and Job Creation **
** Infrastructure Projects Benefitting Ecological Resources **
** Coastal Flood Protection * Promotion of Tourism and Seafood Consumption **



RESTORE Act Interest Form

Please fill out the form below to express your interest in funding a project or proposal from the RESTORE Act. (Additional pages may be used, if needed.)

Completion of this form is not an application and does not guarantee funding.

Project Name:

Project Sponsor (your organization):

Contact Person:

Address:

Phone:

Email:

Project Type (check appropriate categories):

- Restoration/protection/mitigation of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands
- Implementation of National Estuary Management Plans or similar federally-approved plans for the environment
- Workforce development and job creation
- Infrastructure projects benefitting ecological resources, or water-related economy, including port infrastructure
- Coastal flood protection and related infrastructure
- Promotion of water dependent tourism including recreational fishing and consumption of seafood harvested from the Gulf Coast region
- Planning assistance

Project location (attach map if applicable):

Project Description (describe how the proposal will implement the project type checked above in compliance with the guiding principles approved by the Board of County Commissioners):

Total Cost:

RESTORE Act funds:

Additional Funding Partners or sources of matching funding if available

Suggested implementation timeline:

Mail completed form to:

Charlie Hunsicker, Director
Natural Resources Department
415 10th Street West
Bradenton, FL 34205

For additional information please call 941-745-3727.



Summary of Manatee County 2012 RESTORE Act Ecosystem Restoration Projects
and Estimated Costs for Near Term (3-5 year) Projects

RESTORE Act Applications by Goals

(as outlined in 11/20/12 NEP memo)

Restore and Conserve Habitat:

1. Robinson Preserve II Restoration (candidate for regional bundling)	4,450,000
2. Manatee-Hillsborough Conservation Land Corridor Connection (candidate for regional bundling)	1,581,000
3. Manatee County Ecosystem Restoration Task Force	1,500,000 *
4. Duette Preserve Longleaf Pine Restoration through Silviculture (candidate for regional bundling)	1,375,896
5. Environmental Land Acquisition (potential long-term project).....	50,000,000
6. Manatee River Minimum Flow	<u>1,100,000</u>
Total Restore and Conserve Habitat	\$60,006,896

Restore Water Quality:

1. Restore Water Quality - Regional Water Quality Monitoring Program..... (candidate for regional bundling)	2,138,608 *
2. Restore Water Quality - Stream Gage Program (candidate for regional bundling)	304,986 *
3. Restore Water Quality - Stream Condition Index Program	359,987 *
4. Stormwater Basin Master Plan	1,250,000 *
5. Restore Water Quality - Air Quality Monitoring Program (candidate for regional bundling).....	300,181 *
6. Stormwater Retrofit, Washington Park Borrow Pit	<u>1,850,000</u>
Total Restore Water Quality	\$6,203,762

Replenish and Protect Living and Coastal and Marine Resources:

1. Larry Borden Artificial Reef Habitat Enhancement (candidate for regional bundling).....	500,000
2. Robinson Preserve Oyster Bars and Nesting areas (candidate for regional bundling).....	285,000
3. Restore and Conserve Habitat – Sarasota Bay Seagrass Monitoring Program	<u>107,182</u> *
(candidate for regional bundling)	
Total Replenish and Protect Living/Coastal/Marine Resources	892,182

Enhance Community Resilience:

1. Monitoring of Petroleum Tanks and Hazardous Waste Storage.....	439,050 *
2. Green Bridge Fishing Pier Restoration	<u>1,100,000</u>
Total Enhance Community Resilience	\$1,539,050

GRAND TOTAL..... **\$68,641,890**

* Denotes projects with recurring annualized cost. For purposes of estimating, total cost based on 5 years of continuous activity.

Summary of Manatee County 2012 RESTORE Act Ecosystem Restoration Projects

Restore and Conserve Habitat:

1. Robinson Preserve II Restoration (\$ 4,450,000)
The Robinson Preserve Phase II Restoration project consists of converting 150 acres neighboring Robinson Preserve from mostly improved pasture to native wetland and upland habitats. This will be done by re-contouring the land, followed by planting with native vegetation and intensive maintenance.
2. Manatee-Hillsborough Conservation Land Corridor Connection (\$ 1,581,000)
Connect 8,500 acres of conservation lands in Hillsborough County to over 3,000 acres in Manatee County through the acquisition of 186 acres of mutually adjacent agricultural land within the Little Manatee River watershed. Project includes funding for longleaf pine ecosystem restoration on land currently used for row crops.
3. Manatee County Ecosystem Restoration Task Force (\$1,500,000)
A five person adaptive management task force will be contracted to perform broad restoration efforts with particular emphasis on invasive-exotic plant species removal, but may include native plant installations, hydrological restoration, mechanical vegetative fuel reduction, monitoring or other restoration activities as directed by the County. Primary work areas would be Preserves located in the west side of the County.
4. Duette Preserve Longleaf Pine Restoration through Silviculture (\$ 1,375,896)
Afforest and restore 2,595 acres of former agricultural land within the Lake Manatee watershed to longleaf pine ecosystem via phased, single generation silvicultural operation. Establish 1,883,970 longleaf seedlings in plantation form (726 trees per acre) over two years. Utilize yields from forest product harvest to fund subsequent restoration goals and objectives over 50 years to include thinning longleaf timber to natural densities, ground cover restoration, purchase of restoration and vegetation management equipment and contracted services.
5. Environmental Land Acquisition(\$ 50,000,000)
The purpose of this project is to provide funds to acquire property in Manatee County to restore and conserve habitat and the ecological integrity of the regional landscape, protect water quality and provide community resilience in addition to increasing public appreciation and access to natural areas. Public acquisition in fee simple or by conservation easement will be accomplished with full public participation and disclosure as approved by the Board of County Commissioners in open meetings and workshops, with input from the County's standing advisory committee, Environmental Lands Management Acquisition and Advisory Committee (ELMAC).

6. Manatee River Minimum Flow(\$ 1,100,000)
Manatee County will increase freshwater releases from the Lake Manatee Reservoir during the non-rainy season to preserve and/or enhance low salinity habitat in the Manatee River. To offset the decrease in safe yield and reliability of the reservoir to provide drinking water to Manatee County customers caused by the increased freshwater releases, improvements to the water intake structures will be required. Lowering of the intakes will allow continued withdrawal at the lower reservoir levels that will result from the increased freshwater release schedule.

Total Restore and Conserve Habitat \$60,006,896

Restore Water Quality:

1. Restore Water Quality - Regional Water Quality Monitoring Program (\$2,138,608)
High-quality ambient water quality data is required by almost all investigations of environmental impacts to freshwater, coastal, and near shore marine resources. Support for the operation of MCNRD's 81-station ambient water quality monitoring program within Manatee County's streams, rivers, bays and coastal waters will help ensure that this service remains intact for use in adaptive management of these resources, evaluation of impairments, compliance with established water quality criteria, and promotion of healthy natural resources management.
2. Restore Water Quality - Stream Gage Program (\$304,986)
A significant data gap in MCNRD ongoing water quality monitoring is the inability to accurately compute watershed pollutant loading rates without discharge measurements from a companion stream gage network. Stream gage stations in five selected, and monitored, subwatersheds will allow for the calculation of pollutant loads in the gaged subwatersheds and improve estimates of loads from similar un-gaged subwatersheds.
3. Restore Water Quality - Stream Condition Index Program (\$359,987)
Assessments of freshwater streams using purely physical and chemical measurements may not unequivocally identify the waterbody as "healthy" or "unhealthy". This proposal funds the implementation of the Florida Department of Environmental Protection's biological assessment measure, chiefly the Stream Condition Index (SCI), within selected Manatee County freshwater streams. Stream quality is essential for protecting downstream lakes, tributaries, estuaries and coastal ecosystems.
4. Stormwater Basin Master Plan (\$1,250,000)
The purpose of this project is to determine the benefit and feasibility of retrofitting stormwater management systems put in to place prior to water quality standards being put into place. This study would be similar in scope to one conducted in Sarasota County for the Indian River and Sapphire Shores neighborhoods but cover a larger area.
5. Restore Water Quality - Air Quality Monitoring Program (\$300,181)

Direct deposition to Gulf and coastal waters by nutrients and pollutants in the atmosphere – specifically nitrogen and sulfur oxides (NOX and SOX) - was identified in the Gulf of Mexico Regional Ecosystem Restoration Strategy (GMRERS) as a water quality issue of concern. Most Emissions of these pollutants are from hydrocarbon combustion. Support for the MCNRD monitoring program will help ensure that air quality data will be available for further, difficult, air and water policy development. Ambient ground-level ozone concentrations measured by MCNRD for Clean Air Act (CAA) compliance will follow regional trends in NOX and SOX emissions.

6. Stormwater Retrofit, Washington Park Borrow Pit (\$1,850,000)
 The purpose of this project is to utilize an existing 90 acres borrow pit for a Regional Stormwater Management Facility for retrofitting untreated stormwater managements systems, provide water quality and pollution reduction within the Canal Road Drainage Basin. The 90 acres parcel was used as a borrow pit for the construction of US 41. Manatee County is the owner of this 90 acre parcel. The Canal Road Drainage Basin is a 900 acres watershed that drains into Terra Ceia Bay, an Outstanding Florida Water (OFW), Manatee River and ultimately Tampa Bay. The water shed consist of mixed use of residential, industrial and agricultural land use. The 90 acres could provide multipurpose use as a Public Park site. Stormwater management facility, flood control project, Canal Road Public Safety improvement, wetland enhancement, wild life habitat, walking trails and educational uses .

Total Restore Water Quality \$6,203,762

Replenish and Protect Living and Coastal and Marine Resources:

1. Larry Borden Artificial Reef Habitat Enhancement (\$500,000)
 Artificial reef construction and habitat enhancement/creation.
2. Robinson Preserve Oyster Bars and Nesting areas (\$285,000)
 This project consists of enhancing existing coastal habitat at Robinson Preserve by creating sea and shorebird nesting areas, and oyster bars. Preliminary goals are to create over 25,000 square feet of oyster beds, 3-4 suitable nesting sites.
3. Restore and Conserve Habitat – Sarasota Bay Seagrass Monitoring Program (\$107,182)
 Create a coordinated seagrass monitoring program in northern Sarasota Bay, in cooperation with Sarasota County and SBEP, which is needed to improve knowledge and management of this critical habitat. Monitoring strategies will be consistent with that currently be conducted in other portions of Sarasota Bay.

Total Replenish and Protect Living/Coastal/Marine Resources \$892,182

Enhance Community Resilience:

1. Monitoring of Petroleum Tanks and Hazardous Waste Storage(\$ 439,050)

The project is a substantial expansion of the unfunded hazardous waste program in Manatee County. Public outreach and education will be provided through detailed inspections at suspect properties/businesses. This field presence will allow for careful evaluation of potential sources of pollution, including hazardous materials, pollutant storage and septic tanks, water wells, inappropriate fertilizer management, and illicit stormwater discharges.

2. Green Bridge Fishing Pier Restoration (\$1,100,000)

This project will fund the rehabilitation of the Green Bridge Fishing Pier. This structure was transformed into the fishing pier with the construction of the new Green Bridge in ~1986. At that time the north 70 spans were left in place to function as a recreational pier of approximately 2,100 feet long reaching into the Manatee River from the north shore in Palmetto. This structure appears to date from 1927 as a predominately reinforced concrete cast in place structure. While this form of construction is not typical by today's standards it is durable. Hence the structure is still in use today. However it is in great need of repair soon or the repair efforts will be cost prohibitive as compared with demolition or replacement. Also the structure maybe closed to the public if determined structurally unsafe.

A detailed bridge inspection was conducted on the structure in early 2011 to determine its condition. The inspection revealed large scale concrete and reinforcing steel repair needs but no immediate structural issues. The salt water environment has penetrated most of the underside concrete and began corrosion of the reinforcing steel. In numerous locations on piers, pier caps, deck beams and bottom of bridge deck the steel corrosion has broken the concrete and exposed the steel. Without treatment and repair, the structure will continue to decay at an accelerated pace. The accelerated decay is because much of a concrete structure's life is from the time it takes the chlorides to migrate through the concrete to the reinforcing steel to begin corrosion. At this point the migration is complete and the corrosion process has already started.

The pier has been a mainstay of the Manatee River front for more than 20 years. It is currently seen as a community asset by the County and the City of Palmetto, in whose corporate limits it resides. Manatee County is responsible for operation and maintenance of the structure through final demolition of the structure as a condition of the lease agreement with the State of Florida who actually owns the structure. Its

continued use to access the Manatee River for fishing, bird and manatee watching, sightseeing, walking and other leisure activities remains critical to the entire area economy and quality of life.

Total Enhance Community Resilience \$1,539,050

GRAND TOTAL \$68,641,890

Memorandum of Understanding Between the State of Florida & Gulf Consortium

This Memorandum of Understanding ("MOU") is entered into between the Governor of the State of Florida ("Governor") and the Gulf Consortium ("Consortium"), which is established pursuant to the Interlocal Agreement Relating to Establishment of the Gulf Consortium ("Interlocal Agreement"). The purpose of this MOU is to work together in the spirit of cooperation for the benefit of the Gulf of Mexico and the State of Florida. This MOU establishes the process of coordinating with the Governor's office on projects in a Oil Spill Restoration Impact Allocation plan ("State Expenditure Plan") for Florida, which will then be certified, if appropriate, by the Governor to the Gulf Coast Ecosystem Restoration Council ("Council") for its approval. Collectively, the Governor and the Consortium will be referred to as the "Parties."

Recitals

WHEREAS, in response to the explosion of, and resulting oil spill from, the Deepwater Horizon offshore drilling rig in the Gulf of Mexico, on April 20, 2010 ("Deepwater Horizon Oil Spill"), Congress, on June 29, 2012, passed and, on July 6, 2012, the President signed into law the United States Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 ("RESTORE Act") (title I, subtitle F of Public Law 112-141) as part of the Moving Ahead for Progress in the 21st Century Act.

WHEREAS, the RESTORE Act, establishes a mechanism for providing funding to the Gulf Coast region to restore ecosystems and rebuild local economies damaged by the Deepwater Horizon Oil Spill.

WHEREAS, the RESTORE Act establishes the Council, an independent entity consisting of certain federal officials, the Governor of Florida, and the governors of the other Gulf Coast States of Alabama, Mississippi, Louisiana, and Texas.

WHEREAS, the RESTORE Act charges the Council with developing a comprehensive plan for ecosystem restoration in the Gulf Coast region ("Council Comprehensive Plan") that identifies projects and programs aimed at restoring and protecting the natural resources and ecosystems of the Gulf Coast region, to be funded from a portion of the Gulf Coast Restoration Trust Fund ("Trust Fund").

WHEREAS, for Florida, the RESTORE Act, under 33 U.S.C. §1321(t)(3) (2012), requires a consortia of local political subdivisions to develop a State Expenditure Plan, for which the RESTORE Act provides for Trust Fund expenditures that would fund projects, programs, and activities that will improve the ecosystems or economy of the Gulf Coast region that meet criteria specified in the RESTORE Act.

WHEREAS, the Consortium is a public entity created on October 19, 2012, pursuant to section 163.01, Florida Statutes, by the Interlocal Agreement among the 23 Florida Gulf Coast affected counties, as defined in the RESTORE Act, and as specifically named in the Interlocal Agreement.

WHEREAS, a State Expenditure Plan must take into consideration the Council Comprehensive Plan and be consistent with the goals and objectives of the Council Comprehensive Plan.

WHEREAS, the RESTORE Act directs that, in the State of Florida, a consortia of local political subdivisions, in this instance the Consortium, develop the State Expenditure Plan.

WHEREAS, the RESTORE ACT requires that the State of Florida submit a State Expenditure Plan to the Council to approve.

WHEREAS, the Florida Governor will certify, if appropriate, that a State Expenditure Plan satisfies all applicable requirements of the RESTORE Act, and that, when joined by the affirmative vote of the Federal Chairperson of the Council ("Council Chair"), shall be considered to satisfy the requirements for the Council's affirmative vote for approval.

NOW, THEREFORE, in consideration of the foregoing facts and circumstances and desires of the Parties as expressed herein, the Parties hereby mutually agree as follows:

Section 1. General.

- A. The Recitals set forth above are hereby incorporated by reference into this MOU and made a part hereof.
- B. Capitalized words and terms used in this MOU shall have the meaning provided herein.
- C. Words used in the singular shall include the plural forms as well.

Section 2. Governor Appointees to the Consortium. The Governor shall appoint six individuals (the "Appointees") to provide input and guidance to the Consortium on policies and criteria used to determine projects, activities, and programs for consideration for inclusion in a State Expenditure Plan. The Appointees shall not be Directors, as defined in the Interlocal Agreement, but shall be accorded full participation in Consortium affairs, although the Appointees may not vote or otherwise take actions which are authorized to a Director.

Section 3. Accountability and Transparency. The Consortium, at the direction of its Directors and with guidance from the Appointees, shall implement its activities with full

transparency and adhere to all legal requirements including, but not limited to, those relating to open meetings, public records, contracting, audits, and accountability.

Section 4. Consortium Project Submittal and Consideration Process.

- A. The Consortium, in consultation with the Florida Department of Environmental Protection (“FDEP”), shall develop a standardized format for submittal of projects, activities, and programs to the Consortium for consideration for inclusion in a State Expenditure Plan. With exceptions for the different types of projects, activities, and programs that may be eligible for funding under a State Expenditure Plan, the Consortium’s standardized format shall be consistent with the project submittal format designated as the Florida Gulf of Mexico Project Submittal Form, published by the FDEP and available on its website.
- B. The Consortium shall utilize the following process for selecting projects, activities, and programs for inclusion in any tentative plan to be submitted to FDEP, as described in Section 5 of this MOU, for evaluation and comment. The Consortium's selection process shall include, at a minimum:
 - 1. A review for consistency with the applicable laws and rules;
 - 2. Prioritization based on criteria established by the Consortium;
 - 3. Consideration of public comments; and
 - 4. Approval by an affirmative vote of at least a majority of the Directors present at a duly noticed public meeting of the Consortium.

Once approved for inclusion in a tentative plan, the Consortium shall forward the project, activity, or program to FDEP to coordinate review and comment, as provided herein.

Section 5. FDEP Coordinated Review. FDEP and other appropriate state agencies will review and provide input during the development of a State Expenditure Plan. FDEP will coordinate the review and comment of a State Expenditure Plan with the other agencies, who may include, but are not limited to, the Florida Fish and Wildlife Conservation Commission, the Department of Economic Opportunity, the Department of Transportation, the Department of Agriculture and Consumer Services, and a Water Management District with regulatory jurisdiction over a project, activity, or program. Prior to final adoption by the Consortium, FDEP and other appropriate state agencies shall review and comment on drafts of a State Expenditure Plan.

Section 6. Consortium Plan Adoption. After review and comment by FDEP and other appropriate state agencies, the Consortium shall adopt a State Expenditure Plan for submittal by the Governor to the Council. The adoption process shall include:

- A. Opportunity for public comment; and
- B. Adoption of a State Expenditure Plan by a majority of the Directors at a duly noticed public meeting of the Consortium Directors called for that purpose.

Section 7. Submittal of Consortium Plan to the Council. After the Consortium has adopted an appropriate State Expenditure Plan and 90 days prior to the State Expenditure Plan being submitted to the Council, the Consortium shall send the State Expenditure Plan to the Governor for review. Within 30 days, the Governor shall submit comments, if any, back to the Consortium. The Consortium shall have 30 days from the date of receipt of the Governor's comments to revise the State Expenditure Plan in accordance with the Governor's comments. The Consortium shall then transmit the State Expenditure Plan back to the Governor for submittal to the Council for approval.

Section 8. Consultation and Cooperation. The Parties shall coordinate with one another to advance their common goals, eliminate duplication, and maximize consistency among their efforts regarding implementation of the RESTORE Act. The Parties agree to focus on maximizing Florida's attainment of expenditures from the Trust Fund from all sections of the RESTORE Act in order to restore the Gulf Coast resources and energize the economic recovery in the region for the best interest of Florida citizens and communities.

Section 9. Revision of Memorandum of Understanding. This MOU is conditioned upon the implementing rules currently being developed by the United States Department of the Treasury, pursuant to the RESTORE Act. Accordingly, the Parties acknowledge that this MOU may need to be revised to address any inconsistencies herein with such rules. Any revision of this MOU shall be in writing and shall be executed by each of the Parties.

Section 10. Termination. The Governor or the Consortium shall have the right to terminate this MOU, after consultation with each other and with 30 days written notice.

Section 11. Authority. The Governor and the Consortium represent that they have the authority to execute this MOU.

Section 12. Effective Date. This MOU shall take effect on the later date it is executed by the Governor or the Consortium.

Section 13. Term of MOU. This MOU will expire once all the money allocated to the State of Florida under 33 U.S.C. §1321(t)(3) (2012) has been accounted for in a Council approved State Expenditure Plan and all the money has been distributed to implement a Council approved State Expenditure Plan.

Section 14. Execution in Counterparts. This MOU may be executed in multiple counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument.

**Signature Page to Memorandum of Understanding Between the State of Florida
& Gulf Consortium**

STATE OF FLORIDA

Dated: _____

Rick Scott,
Governor

Attest:

Secretary of State

**Signature Page to Memorandum of Understanding Between the State of Florida
& Gulf Consortium**

GULF CONSORTIUM

Dated: _____

Grover C. Robinson, IV
Chairman

Attest:

Warren Yeager,
Secretary-Treasurer



April 1, 2013

To: Commissioner Grover Robinson, Gulf Consortium

Cc: Governor Rick Scott
Doug Darling, Gulf Consortium
Florida Department of Environmental Protection
Florida Fish and Wildlife Conservation Commission
Gulf Coast Ecosystem Restoration Council

Dear Commissioner Robinson,

Florida's Gulf Coast is one of the most ecologically and economically productive areas in the United States. In addition to supporting our state's \$67 billion tourism economy¹, \$5.2 billion wildlife viewing economy², and over 160,000 boating, fish and wildlife-related jobs³, it provides its citizens and the nation abundant seafood, highly-valued recreational opportunities, unique wildlife and beautiful beaches.

In the wake of the BP oil disaster, **Floridians are counting on their elected leaders to push for meaningful environmental restoration**, informed and supported by science, to sustain a strong and healthy economy now, and for generations to come. The Gulf Consortium is in a unique position to influence the allocation of money from the RESTORE Act to rebuild the natural resources that are the engine for Florida's economy, and make our coastal communities more resilient to natural disasters. The RESTORE Act may bring anywhere from hundreds of millions to several billion dollars to our state for restoration, and making sure those dollars are invested in smart ecological restoration will be the key to ensuring lasting results for the environment, our economy, and the long-term resiliency of our coastal communities.

Restoring Florida's environment, cleaning up our coastlines, conserving our wildlife, and rebuilding our estuaries and wetlands will **protect people and property** from future hurricanes and flooding, **create new jobs** and **energize the tourism, fishing and other industries** that depend on a healthy Gulf. As organizations whose members and supporters include **over 350,000 Floridians** who understand the deep connections between a healthy environment and a thriving economy, we are writing to offer our help in making that vision a reality.

This unique opportunity created by the RESTORE Act is clearly the best path forward for a healthy Florida Gulf Coast that is resilient and capable of sustaining our communities. Florida's tourism, recreation, and commercial and recreational fishing industries cannot recover and prosper unless we restore the underlying ecosystems and natural resources that support them.

While there will be myriad proposals for how to spend restoration funds, the ultimate success of this effort rests on selecting and implementing integrated ecological restoration projects, consistent with a

¹ Gulf Coast Ecosystem Restoration Task Force – Appendix B

² Florida Fish and Wildlife Conservation Commission (http://floridabirdingtrail.com/images/pages/wv_economy/cs_report.pdf)

³ National Marine Fisheries Service (www.st.nmfs.noaa.gov/st5/publication/econ/2008/gulf_ALL_econ.pdf)

state-wide plan and rigorous application of criteria to ensure that only the best and most appropriate projects are funded.

It is in this spirit that we submit the attached restoration framework, which includes:

- **Project outcomes and guiding principles;** and
- An outline of **critical restoration priorities** described by the Gulf Coast Ecosystem Restoration Council and description of how they apply to Florida's ecosystems.

For Florida's restoration program to be successful, it is critical that we take a comprehensive, integrated ecosystem approach and strive for results that are greater than the sum of the individual projects by addressing everything from the watersheds supporting our estuaries, to essential coastal uplands, to the offshore marine environment.

We intend this document to be a tool for decision makers and the public to guide effective restoration planning and implementation in Florida. We hope this will support your important work in restoring Florida's Gulf. Thank you for your leadership.

Sincerely,

Audubon Florida
Florida Wildlife Federation
National Wildlife Federation

The Nature Conservancy
Ocean Conservancy

Project Outcomes and Guiding Principles

These project outcomes and guiding principles are intended to support decision makers in Florida as they develop plans to restore our state's Gulf coast.

Project Outcomes

- **Environmental Impact.**
 - The Florida plan should promote restoration and long-term health and sustainability of coastal habitats, fisheries, marine resources and vulnerable species – restoring natural ecosystem function to the maximum extent possible.
 - The Florida plan should include regional projects that advance state priorities toward achieving identified restoration goals (e.g. water quality, land protection, living shoreline, bird, sea turtle, and critical fish habitats and populations) that enhance watersheds and estuaries along Florida's Gulf Coast.
 - The plan should identify land acquisition projects that provide ongoing benefit to the Gulf of Mexico including projects that protect water quality and wildlife habitat, provide the public with new or improved outdoor recreation opportunities, and buffer military bases.
 - The Florida restoration plan should include a significant marine resource protection focused on fisheries, habitats and wildlife to complement coastal restoration priorities. Marine resources involve complex ecological functions and involve complex interconnected relationships contributing to the productivity of the Gulf ecosystem. Marine and anadromous species may spend various phases of their life-cycle across nearshore and open water habitat and these spatial and temporal movements should be considered in identifying and funding marine resource projects.
 - No project should be approved for funding that would result in further damage to Gulf ecosystems.
 - Consideration should be given to restoration projects that incorporate strategic retreat from vulnerable coastal areas over those that would place additional infrastructure in hazardous locations.
- **Fisheries Management.** Strategic investments should be made in scientific efforts that provide for long-term sustainability of commercial and recreational fisheries. Marine restoration projects involving changes to fisheries management or investment in scientific initiatives should involve the input of fishermen and aim to maximize long-term sustainability of commercial and recreational fisheries and communities that depend on healthy resources. Efforts to restore coastal habitats compliment efforts to regulate and rebuild fish stocks.
- **Wildlife Resource Enhancement.** In addition to habitat acquisition, Florida's coastal wildlife requires management to restore their populations. RESTORE provides our state with an unprecedented opportunity to manage these species for population health, buoying the nature-based economies they support while diminishing their degree of imperilment and reducing the need for regulation. These projects also help ensure the sustainability of coastal recreational activities among vulnerable wildlife populations.
- **Community Resilience.** The extent to which projects reduce the vulnerability of communities to hurricanes and other disasters should be considered in project selection.

Projects that restore and preserve marshes, wetlands, reefs and other coastal habitats can provide our best approach to mitigate storm surge, erosion and coastal flooding, and thereby help reduce insurance costs and disaster relief in the future.

The long-term sustainability of coastal communities can also enhance social and economic resiliency by protection and recovery of resource-based economies including Gulf fisheries, tourism and more.

Project Guiding Principles

- **Science-Based Metrics and Evaluation.** Project implementation should be monitored and subject to an ongoing review process to ensure short and long-term goals are being met, allocated funds are being spent responsibly and projects are performing and managed adaptively. In many areas of the Gulf, baseline information on natural systems is incomplete. Successful Gulf restoration will require projects whose goals are simply to collect long-term, robust data sets to bridge these gaps.
- **Phased Approach to Implementation.** The Council should advance key first-wave projects that meet these criteria, even as Gulf-wide planning is undertaken. However, the Council should also reserve sufficient funds so that as planning progresses, and as adaptive management reveals the need for improved or other approaches to ecosystem concerns, additional investments can be made in new or improved projects.
- **Clear Outcomes.** Project descriptions should state clear, measurable and achievable ecological and community outcomes.
- **Local Input/Participation.** Projects should generally have support from relevant state and local entities and the public and be vetted in a public process that includes the opportunity for the public and stakeholder groups to provide meaningful input.
- **Leverage Opportunities.** To maximize beneficial impact of RESTORE funds, the Council, Gulf Consortium and counties should consider opportunities to leverage resources across RESTORE funding allocations and as a match for other local, state and federal funding sources.
- **Mutual Project Compatibility.** With the diversity of projects likely to be funded concurrently, it will be important to ensure that discrete projects are not inadvertently working at odds with one another. Accordingly, it would be beneficial for an ombudsman panel of resource and economic managers to provide oversight and ensure project designs avoid unintended impacts to key resources that are also restoration targets.

RESTORE Priorities (From Gulf of Mexico Regional Ecosystem Restoration Strategy)

Every ecosystem restoration project helps restore and sustain the Gulf's natural resource-based economy.

To fully restore the people and natural resources of the Gulf, restoration must take a comprehensive approach that recognizes the interconnectedness of marine and coastal ecosystems and the watersheds that support them—this means addressing everything from freshwater inflows to our estuaries to our offshore marine environment and the species that use them.

Further, the Council's "Path Forward" document highlights the importance of restoring and revitalizing the Gulf economy. Funding projects that achieve the Council's ecosystem restoration priorities will enhance and preserve the resources that are critical to the businesses and communities that make our economy thrive.

The following conservation goals have been identified by the Gulf Coast Ecosystem Restoration Task Force and the State of Florida in the Task Force's "Gulf of Mexico Regional Ecosystem Restoration Strategy" ("Task Force Strategic Plan" – December 2011) for restoring the ecology of the Gulf of Mexico: Restore and Conserve Habitat; Restore Water Quality; Protect Living Coastal and Marine Resources; and Enhance Community Resiliency. As part of the Task Force Strategic Plan, the State of Florida has identified priority actions it intends to implement to address these four goals, which are available in Appendix B of the Task Force's Strategic Plan.

The Council has now adopted and incorporated by reference the Task Force Strategic Plan into the "Path Forward" proposal for a Comprehensive Plan. The following recommendations are largely based on Florida's priority actions to address the four Council goals, with additional recommendations that specifically address what we consider to be priority restoration actions.

Restore and Conserve Habitat

Restoring Florida's habitats, like estuaries, coastal wetlands, oyster reefs, seagrass beds, and barrier islands, will help sustain the resource-based coastal economy that draws 1.6 million people to the state every year, the majority of whom come to view coastal and marine wildlife, supporting our \$67 billion tourism economy.⁴

- Protect, stabilize and restore salt marsh, seagrass, oyster, coral reef, mangrove and other important marine bottom habitat in strategic locations where human-made and storm impacts have occurred or are likely to occur in the future.
- Create opportunities for natural coastal dynamism—erosion, accretion and overwash—to occur unimpeded for the benefit of wildlife resources that depend on these dynamic habitats.
- Partner with Florida Gulf Coast military installations to integrate their ongoing conservation strategies and land acquisition efforts for military readiness with Florida's ecosystem restoration and protection goals.
- Implement project construction, policy and program changes necessary to reestablish natural, historical water flow (quality, quantity, timing and distribution) on the Apalachicola, Suwannee, Peace and Caloosahatchee Rivers, Florida Bay, and other riverine and estuarine systems connecting to the Gulf.

⁴ Gulf Coast Ecosystem Restoration Task Force – Florida Self Assessment

- Strategically acquire, buffer and protect identified properties in state and federal acquisition programs to provide watershed improvements and wildlife corridors to downstream estuarine and marine habitats of ecological and economic importance to the Gulf.
- Acquire key habitat parcels necessary for vulnerable coastal wildlife populations.
- Work with federal and state partners to establish a financial and public policy process for the beneficial use of sediments and rock from major dredging projects in restoring barrier island, beach, hard bottom and other coastal habitats.
- Continue to work with federal partners, private landowners and stakeholders to implement the Comprehensive Everglades restoration Plan where it will improve and protect Gulf ecosystems in Southwest Florida and the Keys.
- Refine and implement inlet management plans to restore the natural flow of sediments around inlets to down drift beaches.
- Develop and implement invasive species eradication and long-term management plans to address impacts to natural ecosystems within the Gulf region.
- Restore and manage critically eroded sandy beaches and dunes for upland protection and wildlife habitat, which support recreation and tourism.
- Work with federal and local agencies to develop and implement a hard-bottom mitigation strategy to restore habitats where damage from storms, transportation and navigation projects, beach restoration, and other impacts from public projects have occurred or will occur.

Restore Water Quality

Restoring water quality is not only critical to Florida's environment, it is important for our communities. Green infrastructure projects to improve water quality – including cleaning up impaired waters through enhanced wastewater treatment, restoring stream flow, and addressing storm water impacts – will create many construction jobs in the short and long term. These projects will also provide a lasting legacy of cleaner and healthier beaches, restored estuaries and fish populations, and cleaner drinking water – all of which will sustain increased tourism and a better quality of life for current and future generations of Floridians.

- Achieve water quality benefits provided through preservation of buffer lands around military bases.
- Reduce excessive sediment, pollutant and nutrient loads in waterways by improving the management of urban and agricultural stormwater runoff, increasing the treatment levels of wastewater and encouraging their reuse, restoring inland waterways that flow to the Gulf, restoring connections and altered floodplains to represent more natural systems, and promoting more sustainable adjacent land use policies.
- Improve education and compliance related to nonpoint source pollution (agricultural, residential and urban) and promote local best management practices and alternatives.
- Focus water quality and clarity improvements to best promote seagrass, oyster and coral restoration.
- Improve understanding of the sources, bioaccumulation and effects of toxic chemicals (such as pesticides, dioxins and PCBs), metals (such as mercury) and other environmental contaminants, as well as how to cycle these pollutants out of sediments and nearshore waters. Improve understanding of the ecological harm of increasing acidification in Gulf waters and identify ways to reverse this trend.

- Monitor, investigate, mitigate and ameliorate harmful algal blooms off Florida's Gulf Coast.
- Evaluate the feasibility of removing or improving control structures that are impeding tidal exchange to estuaries to restore more natural salinity conditions that serve as primary nursery areas.

Protect Living Coastal and Marine Resources

Without fish and wildlife, Florida's coastal and marine habitats would fail Florida's local economies. Maintaining and improving the health of these coastal and marine resources is essential to the success of everything from Florida State Parks to community seafood festivals, recreational fishing charters to hunting, birdwatching and diving tourism.

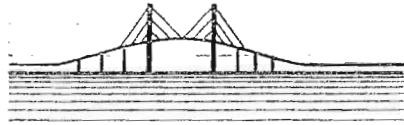
- Develop and implement management plans for conserving threatened, endangered, and other protected species and maintaining commercial and recreationally important species of fish and wildlife. Management plans should include ways to improve monitoring of coastal and marine resources; improve research into those resources; minimize adverse impacts from human activities; maintain sustainable native populations; and protect, restore and maintain critical habitat for listed fish, wildlife and plants in coastal areas.
- Establish perpetual management funds to support recurring needs for key wildlife resources, such as predator control, posting, monitoring, and disturbance reduction, to stabilize and recover populations of imperiled species.
- Involve the public in developing initiatives to help educate citizens and communities on the importance of coastal wildlife conservation, shorebird protection and sea turtle monitoring.
- Undertake restoration projects to protect waterbird rookeries of statewide significance vulnerable to erosion from ship wakes and storm-driven wave action.
- Develop and implement programs to balance and integrate the interests and needs of people living and recreating in coastal areas with the needs of fish and wildlife species dependent on marine and coastal habitats.
- Develop large-scale strategies for seagrass, oyster and coral reef restoration.
- Develop and implement invasive species eradication and management plans to address impacts to natural ecosystems within the Gulf region.
- Develop coral propagation and post-storm and vessel grounding coral restoration plans.

Enhance Community Resiliency

Protecting our communities is simply the right thing to do. Healthy Gulf Coast ecosystems are an economic driver, creating jobs in tourism, recreation, and seafood harvesting and by providing amenities that attract new business to Florida's Gulf Coast. A recent study conducted by Mather Economics estimated that investing these RESTORE funds into Gulf ecosystem restoration projects could create over 77,000 new jobs over 50 years.⁵ Further, restoring and protecting wetlands, barrier islands and oyster reefs helps mitigate the impacts of hurricanes and storm surge. For example, oyster reefs and marshes protect shorelines by absorbing and significantly reducing wave energy – lessening the amount of coastal erosion, flooding and costly damage to private property and public infrastructure.

⁵ Mather Economics LLC "White Paper Job Creation from Gulf Coast Wetlands Restoration." June 5 2012 retrieved from <http://wff.cotcdn.rockfishhosting.com/documents/647d6ab1-0c7d-4c02-8d91-903abd684222.pdf>

- Prioritize hazard mitigation projects that are nonstructural and ecosystem restoration based—for example, dune restoration, living shorelines etc.
- Compile, review and summarize “coastal elements” of Florida’s 23 Gulf Coast counties’ Comprehensive Growth Management Plans for continuity and consistency in natural resource and community infrastructure protection to aid in Gulf restoration and community resiliency.
- Incorporate projects to address natural resource protection into local coastal hazard mitigation plans.
- Improve knowledge of the economic value of environmental services provided by Gulf resources in terms of long-term community sustainability, growth and resilience.
- Support local efforts to develop post-disaster redevelopment plans that address natural resource and economic protection and recovery following a disaster and that support statewide, long-term recovery.
- Select restoration projects that mitigate sea level rise, saltwater intrusion and other impacts from climate change for both the natural and built environment.
- Advantage restoration projects that incorporate strategies for retreat from vulnerable coastal areas, over those that would place additional infrastructure in hazardous locations.



Tampa Bay Regional Planning Council

Memorandum

4600 Gateway Centre Blvd., #100 Pinellas Park, FL 33782
Phone (727) 570-5151 FAX (727) 570-5118
<http://www.tbrpc.org>

TO: Members, TBRPC Ad Hoc RESTORE Act Committee

FROM: Bob Minning, TBRPC Chair

RE: April 8th Meeting, immediately following the Council meeting at Tampa Bay Regional Planning Council 4000 Gateway Centre Blvd., Suite 100, Pinellas Park

DATE: March 28, 2013

Thank you for agreeing to serve on this committee. As stated when I proposed its creation at the February 4th Council meeting, the goal of this effort is to assist our cities and counties in the process of identifying and submitting projects for funding under the provisions of the Federal RESTORE Act. The Tampa Bay Regional Planning Council has several tools and resources that would be of benefit in this process, and given the rather limited list of activities which are eligible for funding, a regional economic and/or environmental benefits analysis will be important in obtaining funding.

This meeting, intended to last no more than two hours, will be filled with information from those who are most familiar with the topics. They will be able to answer your questions and to help us understand our respective roles in meeting the goals of the RESTORE Act legislation.

Lunch will be provided.

Attached to this agenda package as links are several informational items that will help you prepare for the meeting:

- = Gulf Coast Ecosystem Restoration Council's Draft Comprehensive Plan ([Path Forward](#))
- = Environmental Law Institute Comparison of Funding Mechanisms ([ELI](#))
- = FDEP Information on RESTORE Act ([FDEP](#))
- = FDEP Project Submittal Form ([Form](#))
- = Final Southwest Florida Ecosystem Restoration Plan ([SWFERP](#))
- = Flow of Oil Spill Funds in Florida ([OC Graph](#))

See you on April 8th!



Meeting Agenda

TBRPC Ad Hoc RESTORE Act Committee

April 8, 2013 11:30 a.m.

4000 Gateway Centre Blvd., Suite 100
Pinellas Park, FL 33782
Phone: 727-570-5151 Fax: 727-570-5118

****THIS MEETING IS OPEN TO THE PUBLIC****
Please Turn Off All Electronic Devices During The Meeting

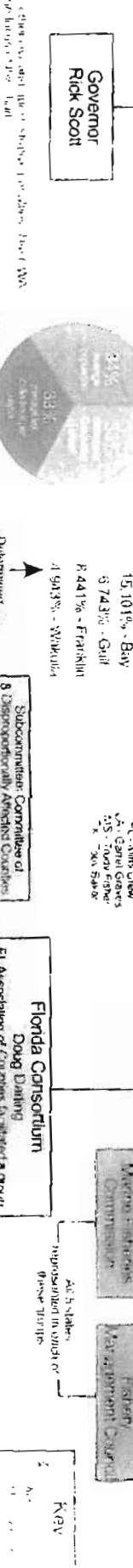
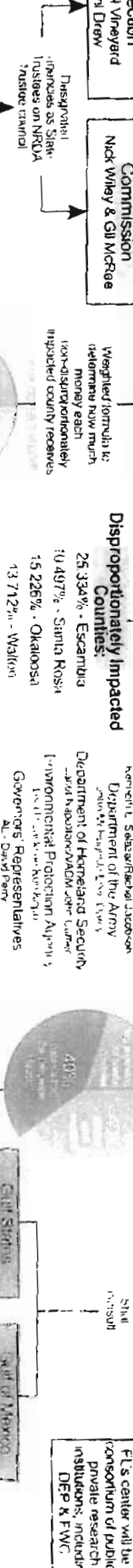
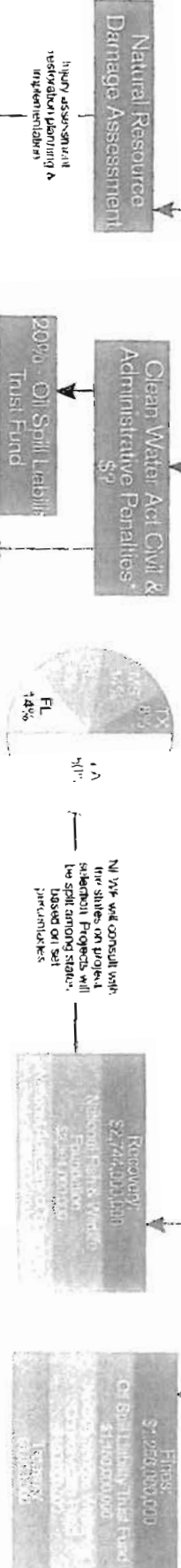
1. **Call to Order:** TBRPC Chair Bob Minning
2. **Overview of RESTORE Act** - Suzanne Cooper, TBRPC staff
3. **State of Florida priorities for funding, process for receiving proposals, involvement in selecting projects (Federal "Pot #2")** - Kevin Claridge, Florida Department of Environmental Protection
4. **Actions of the Southwest Florida National Estuary Programs (Federal "Pot #2")** - Holly Greening Tampa Bay Estuary Program
5. **Actions of the Florida Consortium of Gulf counties (State "Pot #3")** - Doug Darling, Florida Association of Counties
6. **Counties' prioritization for coastal environmental and economic restoration (Local "Pot #1") and City collaboration** - Andy Squires, Pinellas County
7. **Tools and Resources of the Tampa Bay Regional Planning Council pertinent to the subject** - Avera Wynne, TBRPC staff
8. **Discussion of possible follow-up actions for the Committee and/or staff**
 - Topics for the next meeting
 - Periodically update Tampa Bay region's cities and counties on RESTORE Act progress, project selection criteria and U.S. Treasury guidelines
 - Advise Tampa Bay region's cities and counties of the tools and resources available from the Tampa Bay Regional Planning Council to assist in project application development
9. **Adjourn**

If you are a person with a disability who needs any accommodation in order to participate in this meeting you are entitled, at no cost to you, the provision of certain assistance. Please contact the Tampa Bay Regional Planning Council at 727-570-5151 ext. 22 within three working days prior to the meeting.

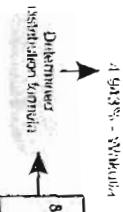
Flow of Oil Spill Funds in Florida

Resolution of Criminal, Civil, Administrative & Natural Resource Claims

Oil Spill Trust Funds



For more information, contact the Florida Department of Environmental Protection, 6205 Reid Street, Tallahassee, Florida 32310. Phone: 904-201-2200. Fax: 904-201-2201. Website: www.dep.state.fl.us. Email: info@dep.state.fl.us



Florida Consortium
 Developing a group of 23 counties to develop an interlocal agreement to oversee this fund



KEY

- State
- Federal
- Local